Council Chambers, Municipal Building, Baraboo, Wisconsin Tuesday, January 11, 2022 – 7:00 p.m.

Mayor Nelson called the regular meeting of Council to order.

Roll call was taken.

Council Members Present: Wedekind, Kolb, Plautz, Kent, Petty, Ellington, Kierzek, Thurow

Council Members Absent: Sloan

Others Present: Chief Schauf, Clerk Zeman, Adm. Bradley, J. Ostrander, W. Peterson, T. Pinion, Ian Carroll, members of the press and others.

The Pledge of Allegiance was given.

Moved by Ellington, seconded by Kolb and carried to approve the minutes of December 14, 2021.

Moved by Petty, seconded by Kent and carried to approve the agenda.

Compliance with the Open Meeting Law was noted.

PRESENTATIONS – None Scheduled.

PUBLIC HEARINGS - None Scheduled.

PUBLIC INVITED TO SPEAK – No one spoke.

MAYOR'S BUSINESS

- The Mayor congratulated <u>John Van Hoosen</u> and <u>Dennis Biddick</u> on their retirements from the City. Congratulations to you both! Enjoy all the exciting adventures that lay ahead!
- Also, congratulations to the following employees on their anniversaries:

Timm Klemm, Water Department, 10 years

Linda Wiese, Police Department, 35 years

Congratulations!

- The City is collecting input on its economic resiliency strategy. Residents are encouraged to complete a brief survey at bit.ly/baraboosurvey
- The quickest and easiest way to see the COVID-19 data affecting Sauk County is by visiting this website: https://coviddata-saukpublichealth.hub.arcgis.com/

CONSENT AGENDA

Resolution No. 21-139

THAT the Accounts Payable, in the amount of \$6,693,069.10 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Moved by Kolb, seconded by Petty and carried that the Consent Agenda be approved-8 ayes.

ORDINANCES ON 2ND READING

Moved by Ellington, seconded by Thurow and carried unanimously to approve the 2nd reading of **Ordinance No. 2584** revising §12.05(2) of the Baraboo Municipal Code, to amend the application requirements for a Special Event License.

Moved by Wedekind, seconded by Kolb and carried to approve the 2nd reading of **Ordinance No. 2585** amending §17.18(4)(d) and the Zoning District Map of the Baraboo Municipal Code for the entire Sauk County Fairgrounds at 700 Washington Avenue as a Planned Unit Development and approving the General Development Plan (GDP). (1 Abstain, Thurow)

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Moved by Kolb, seconded by Petty and carried to approve the 2nd reading of **Ordinance No. 2586** approving the Specific Implementation Plan for the Planned Unit Development at Sauk County Fairgrounds at 700 Washington Avenue. (1 Abstain, Thurow)

Moved by Petty, seconded by Ellington and carried unanimously to approve the 2nd reading of **Ordinance No. 2587** creating §13.19 Lead Service Line Replacement in the Baraboo Municipal Code.

NEW BUSINESS - RESOLUTIONS

Resolution No. 21-140

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

Resolution Authorizing Execution of the Department of Natural Resources Principal Forgiven Financial Assistance Agreement

WHEREAS, the City of Baraboo (the "Municipality") wishes to undertake a project to replace private lead service lines at residences, pre k -12 schools and licensed day care centers, identified as DNR No. XXXX-XX (the "Project"); and

WHEREAS, the Municipality has applied to the Safe Drinking Water Loan Program (the "SDWLP") for financial assistance in the form of a loan made by the SDWLP to the Municipality of which all the principal will be forgiven at the time that loan disbursements are made to the Municipality, pursuant to the DNR Financial Assistance Agreement; and

WHEREAS, the SDWLP has determined that it can provide a loan with principal forgiveness in an amount up to \$160,000 that it has identified as being eligible for SDWLP funding;

NOW, THEREFORE, the City Mayor and City Clerk are authorized by and on behalf of the Municipality to execute the Principal Forgiven Financial Assistance Agreement that contains the terms and conditions of the SDWLP award for the Project. The Principal Forgiven Financial Assistance Agreement is incorporated herein by this reference.

Moved by Thurow, seconded by Kolb and carried that **Resolution No. 21-140** be approved-8 ayes.

NEW BUSINESS – ORDINANCES

Moved by Thurow, seconded by Petty and carried, 1-nay, Wedekind, to approve the 1st reading of **Ordinance No. 2588** amending §29.11 of the City of Baraboo Municipal Code as follows:

THE COMMON COUNCIL OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN DO ORDAIN AS FOLLOWS:

Section 1: Section 29.11 of the Municipal Code of the City of Baraboo shall be and hereby is amended to read as follows:

29.11 NUMBER OF DOGS AND CATS PER HOUSEHOLD LIMITED; SPECIAL **EXCEPTION PERMIT.**

DOG AND CAT LIMITS. Except as otherwise permitted by this Chapter, no person shall own, harbor or keep more than three adult dogs and three adult cats, and no more than a combined total of 4 adult animals in a household. If more than three adult dogs and three adult cats are owned, harbored or kept in or by any one household, the head of the household shall be deemed the person so owning, harboring or keeping such animals, notwithstanding that the dog or cat license or licenses may be issued to other members of the household as owners of such animals.

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(2) SPECIAL EXCEPTION PERMIT. The Common Council shall be authorized to grant a Special Exception Permit to allow a greater number of adult dogs and/or adult cats for a specific household provided the following conditions are satisfied:

a. <u>Permit Request.</u>

- i. The head of household must submit a request for a Special Exception Permit in writing to the City Clerk, who, upon receipt, shall schedule the request to be considered at the next regularly scheduled Administrative Committee meeting where the notice requirements described in sub. ii, below, can be timely made.
 - ii. Upon receiving the request, the City Clerk or designee shall attempt to notify the owners of property immediately adjacent to the requestor's property regarding the request. This attempt shall be made by regular mail to be posted at least 10 calendar days prior to the date of the Administrative Committee meeting at which the application will be heard.
- b. <u>Administrative Committee Review</u>. Before the Council considers a request for a Special Exception Permit, the request shall be reviewed by the Administrative Committee. If the Administrative Committee finds that the Permit should not be issued based on the factors listed in Subs. (c) i-vii, below, this determination shall be final and shall constitute a formal denial of the request. If the Administrative Committee finds that the Permit should be granted, or granted with conditions in addition to those listed in Par. (3), below, this determination shall be deemed a recommendation only and the final determination shall be made by the Council.
- c. <u>Common Council Authorization</u>. Upon a recommendation from the Administrative Committee to grant a Special Exemption Permit, or to grant a Special Exemption Permit with conditions in addition to those listed in Par. (3), below the Council shall make the final determination based on the following factors: (1885 10/08/96, 2448 09/13/16)
 - i. Whether the need for the additional animal is based on a change in household circumstances. An existing household acquiring a new animal shall not be considered a change in household circumstances if that was the only change to the household.
 - ii. Whether the excess animal is an ADA service animal, as defined by 28 CFR § 35.104.
 - iii. How and when the excess animal was acquired by the household and whether the animal was acquired with knowledge of the limited number of such animals permitted by this ordinance.
 - iv. The care and treatment of all animals in the household.
 - v. Whether any resident of the household has a conviction involving or related to animal cruelty or abuse, including a violation of \$29.27 of this Code.
 - vi. Relevant testimony of any property owner notified pursuant to Subs. (a) ii, above.

- V11. Whether the applicant is delinquent in the payment of any taxes, assessments or other claims owed to the City.
- (3) PERMIT CONDITIONS. The following conditions shall apply to all Special **Exception Permits:**

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- No more than a total of five animals (adult dogs and adult cats combined) shall be owned, harbored or kept by one household, except that the Council may allow additional animals based upon a finding by the Council that the animals are ADA service animals, as defined by 28 CFR § 35.104, and that all other conditions of this ordinance are met.
- Only one Special Exception Permit shall be allowed per household. b.
- c. Each permitted animal must be neutered or spayed.
- Each permitted animal must be raised in a safe, sanitary and healthful environment d. and shall be properly fed and groomed at all times and all animal waste shall be disposed of in a safe and sanitary manner.
- If a permitted animal dies, it shall not be replaced with another animal. e.
- f. Each permitted animal must be kept or harbored inside the residence.
- The owner of the household where such animals are harbored or kept must give his/her written consent to the granting of an exception under this subsection.
- Each permitted animal must be properly registered with the City and all license fees paid.
- Any additional conditions the Council deems necessary for public health, safety and general welfare.
- INSPECTIONS. Law enforcement officers and humane officers shall be authorized to (4) inspect the household with reasonable notice to the owner or occupants thereof for compliance with the conditions established by the Council.
- PERMIT TERM. A Special Exception Permit shall be valid until the permitted animal dies or is no longer kept in the household.
- (6)STAY OF ENFORCEMENT. A person in violation of Par. (1), above, but who has submitted a request for a Special Exception Permit to the City Clerk and is waiting the final decision on the request shall not be subject to penalty under this Chapter during the time in which the request has been submitted and the final decision has been made.
- PERMIT REVOCATION. A single violation of any of the conditions contained in this ordinance, or any other condition ordered by the Council, or any applicable condition contained in §12.01 of the Code, shall be sufficient grounds for revocation of the Special Exception Permit by the Common Council. For purposes of this section, a "violation" need not have resulted in a conviction so long as a law enforcement officer or humane officer is able to reasonably articulate and provide clear and convincing evidence, of which testimony may suffice, of said violation.

Section 2: The amended Ordinance shall take effect upon passage and publication as provided by law.

COMMITTEE OF THE WHOLE

Moved by Ellington, seconded by Petty to enter Committee of the Whole to discuss an update on the 2023 Budget.

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Adm. Bradley presented the Council with an update regarding the City's debt service levy. It has been discovered that the City has levied for both General Fund and TID Debt. This is now an issue with TID #6, #7, and #8. The purpose of a TID is to create tax increment that stays in the District; ultimately that pays for the TID's own debt. However, in the event of a shortfall, we have the statutory ability to pay the debt using tax levy. What we found is that the City has been claiming this TID debt in the tax levy. In the past, only the General Debt Levy has been shown. This becomes an extreme issue now because we are retiring the debt that exists for TID #6 and #8 in 2022. We are now required to remove this additional levy which has become part of our operating budget. Ultimately we are going to have to cut our budget significantly in 2023 because we will not have the capacity to pay the level we are currently paying.

Adm. Bradley presented the Levy Limit claimed vs the actual City obligation showing the excess of what was paid by the TID's. These excess funds have been used to fund the City's general operations and once the TID debt is paid off, the City will experience an estimated loss of \$825,294 in 2023 and every year going forward. This was presented to the department heads and following that discussion, each department would like to make their own recommendations for budget cuts in 2023. The departmental budget cuts are based on the percentage of levy they receive. Ultimately the budget is decided by Council.

With TID #6 closing, that will be put back on the tax roll; however, we have been receiving a portion of the net new construction each year based on a calculation determined by the Dept. of Revenue. We will receive approximately \$113,683 in additional tax revenue one time.

Because we had the capacity to levy this, it should not affect our future borrowing or bond rating. It should also not affect our future building plans. While we are required to remove these funds from our operational budget, a future levy could include any new debt.

Moved by Ellington, seconded by Kent to rise and report from Committee of the Whole and return to regular session.

ADMINISTRATOR AND COUNCIL COMMENTS

Adm. Bradley noted that the final Consolidation of Fire and EMS Services Report has been provided to Council. The next step will include adopting the study followed by a formal opinion and resolutions as approved by Council.

Ald. Petty noted that he was recently quoted in the paper regarding the Comprehensive Plan presented by M. hardy and the great job done by parks staff. Ald. Kent actually made this comment.

REPORTS, PETITIONS, AND CORRESPONDENCE

The City officially acknowledges receipt and distribution of the following:

- Reports: November, 2021 Treasurer

 December, 2021 Building Inspection
- Minutes from the Following Meetings:

Members Present: Sloan, Kent, Petty

Absent:

Others Present: Mayor Nelson, Adm. Bradley, Clerk Zeman, J. Ostrander, M. Hardy

<u>Call to Order</u> –Ald. Sloan called the meeting to order at 7:00p.m. noting compliance with the Open Meeting Law. Moved by Petty, seconded by Kent to approve the minutes of November 23, 2021 and carried unanimously. Moved by Kent, seconded by Petty to approve the agenda noting that item "F", the Strategic Plan is only approving the contract to provide the service, not the actual strategic plan. Motion carried unanimously.

Action Items

- a) Accounts Payable Moved by Petty, seconded by Kent to recommend to Council for approval of the accounts payable for \$701,819.42. Motion carried unanimously.
- b) Baraboo Broadcasting Agreement Adm. Bradley noted that this is a repeat of last year's contract. He would like to see this change and we are currently looking at different options for broadcasting the Council meetings and the possibility of going paperless for agendas. Because of current time restraints in reviewing alternative options, we are recommending a one year contract. Moved by Petty, seconded by Kent to recommend to Council the approval of a one-year agreement with Baraboo Broadcasting Corporation for \$25,000. Motion carried unanimously.
- c) Abby Vans J. Ostrander explained that because the City owns the vans, we are required to annually renew the vehicle lease with Abby Vans. There are no changes to the lease for 2022. Moved by Petty, seconded by Kent to recommend to Council extending the current vehicle lease with Abby Vans for 2022. Motion carried unanimously.
- d) <u>City's COVID-19 Policy</u> Adm. Bradley explained that we have received a request to reevaluate the COVID policy in regards to the mask requirement for committee and Council members. We were asked to reconsider the mask requirement based on medical and religious exemptions. The committee discussed the current COVID-19 policy, to include whether attending remotely is a reasonable accommodation and who would determine the medical and/or religious exemption. Moved by Petty, seconded by Kent to postpone this item to the January 10th, 2022 Finance/Personnel Committee meeting for review. Motion carried unanimously.
- e) Comprehensive Outdoor Recreation Plan M. Hardy presented the Comprehensive Strategic Plan. Ald. Petty acknowledges the wonderful, well-kept parks that Baraboo has and the committee appreciates all of the work done by staff. Moved by Petty, seconded by Kent to recommend to Council to approve the 2022-2026 Comprehensive Outdoor Recreation Plan. Motion carried unanimously.
- Strategic Plan Adm. Bradley explained that this is something that Jenny Erickson was planning to do; however, with Jenny accepting another position with the Extension, we were looking for other options. Our top priority for the strategic plan is an effort to focus on the fiscal situation; this will be our main issue for the next 5 years. Two bids were received, one from ICMA for \$22,000 and one from Redevelopment Resources, LLC for \$14,405. Because Redevelopment Resources already has the contract for the EDA grant, this will roll right into the strategic plan as well as the comp plan. Ultimately, when this is all done, the City will have a comprehensive plan. The first step of this phase is the economic development plan; ultimately this will flow into the strategic plan followed by a growth plan. Moved by Petty, seconded by Kent to recommend to Council approving the agreement with Redevelopment Resources, LLC in the amount of \$14,405. Motion carried unanimously.
- <u>Intent to Borrow</u> J. Ostrander noted this is an outline for TIF #12 borrowing, both long term and short term basis. The IRS requires public notice within 90 days of the expenditure of funds that you intend to reimburse yourself with tax exempt bond issuance. We are now incurring costs that will be bondable. Motion by Kent, seconded by Petty to recommend approving the Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing for TID #12. Motion carried unanimously.
- h) Energy Innovation Grant Mayor Nelson was made aware of grants that are available from the Public Service Commission through their energy innovation. This is available every 2 years and the application is due January 14, 2022. They offer three categories; renewable energy, energy storage peak demand management system, comprehensive management plan process. We would use these funds to get some professional assistance in coming up with some achievable, effective goals in what we might be able to do in terms of energy planning, energy savings, renewal energy installation, etc. Tonight's approval is simply endorsement for investing the effort in putting the grant together. If a grant is awarded, it would come back to Finance for acceptance of the grant terms. Motion by Kent, seconded by Petty to authorize the Mayor to submit an Energy Innovation Grant Program application for no more than \$50,000. Motion carried unanimously.

Administrative Committee November 1, 2021

Alderpersons John Ellington, Heather Kierzek, Kathleen Thurow Present:

Absent:

Also Present: Mayor Nelson, City Clerk, Brenda Zeman; Finance Director Julie Ostrander, Police Chief

Schauf; City Administrator, Casey Bradley

Citizen Present: None.

The meeting was called to order by Chairman John Ellington at 8:00AM, with roll call and noting compliance with the Open Meetings Law.

Motion by Thurow, seconded by Kierzek to approve the October 4, 2021 minutes. Motion carried unanimously.

Motion by Thurow, seconded by Kierzek to approve the Agenda. Motion carried unanimously.

Consider the Temporary Liquor License for Downtown Baraboo

Chief Schauf noted that this is their 2nd license for the year. Motion by Kierzek, seconded by Thurow to approve and recommend to Council the Temporary Liquor License (aka Picnic License) for the Downtown Baraboo Winter Wine Walk, November 19, 2021. Motion carried unanimously.

Consider the Temporary Liquor License for Sauk County Historical Society

Motion by Thurow, seconded by Kierzek to approve and recommend to Council the Temporary Liquor License (aka Picnic License) for the Sauk County Historical Society Christmas at the Mansion, December 10, 2021. Motion carried unanimously.

Consider the Temporary Liquor License for Baraboo Young Professionals

Motion by Thurow, seconded by Kierzek to approve and recommend to Council the Temporary Liquor License (aka Picnic License) for the Baraboo Young Professionals Baraboo Night Market, December 17, 2021. Motion carried unanimously.

Discussion Items:

Ald. Thurow explained that she has had a few citizens ask if the Committee would consider reviewing the number of cats and dogs allowed within the City. Chief Schauf noted that it was only a few years ago that the exception was allowed. He is not thrilled with the idea of increasing the number of allowed cats and dogs. It's not the barking that concerns him as only one dog can bark, his concern is allowing 4 dogs on a city lot. The committee agrees with increasing the number of cats and dogs allowed to 3 with a combined total of 4. Chief Schauf noted that regardless of the number of dogs, it often comes down to being responsible owners. Ald. Kierzek is in favor of increasing it to no more than 3 dogs or cats with a combined total of 5 animals. Mayor Nelson suggested changing the ordinance to allow for no more than 3 dogs or cats with a combined total of 4 animals. Chief Schauf will review this with his Community Service Officers bring it back to the Committee in December.

Informational Items

The next meeting will be Monday, December 6, 2021 at 8:00AM.

Motion to adjourn by Kierzek, seconded by Thurow and unanimously carried. Meeting adjourned at 8:17AM.

Baraboo Economic Development Commission Meeting Minutes

November 4, 2021

Call Meeting to Order and Note Compliance with Open Meeting Law

Vice-Chairperson Steinhorst called the meeting to order at 5:45 PM at the Baraboo Municipal Building, Council Chambers, 101 South Blvd., Baraboo, WI. The meeting was noticed in conformance with Wisconsin State Statues regarding open meetings.

II. Roll Call of Membership

Present: Caflisch (Via Phone), Steinhorst, Culotta, Koehler, Koenig, Kothbauer, Nelson, Persche

Briggs, Johnson, Kent, Vera Absent:

Other: Patrick Cannon

Approve Minutes III.

Motion to approve the minutes for September 2, 2021

Nelson (1); Kothbauer (2) Aye: All via voice vote Nay: None

IV. Approve Agenda

Motion to approve the agenda

Nelson (1); Persche (2) Aye: All via voice vote

Nay: None

V. Presentation

None

VI. Action Items

a. Election of Secretary to complete balance of term of Carolyn Wastlund

It was noted that Ms. Wastlund had resigned her position on BEDC leaving the position of Secretary vacant. The Vice Chair asked for volunteers wishing to fill the position. Ms. Persche volunteered to fill the unexpired term.

Motion:

To nominate Beth Persche to serve as Secretary filling the unexpired term vacated by Ms. Wastlund.

Nelson (1); Steinhorst (2) Aye: All via voice vote

Nay: None

b. Work session with Redevelopment Resources regarding EDA Grant

- i. Project overview
- ii. Review of Steering Committee questionnaire
- iii. Discussion of Focus Group Invitees

Kristen Fish- Peterson and members from Studio GWA were present to review their plans for the implementation of the grant program.

They discussed their research and their plans for the project. They will be creating a survey instrument for the initial feedback from Baraboo residents. Each member of BEDC was requested to provide names of residents they felt would be good participants for focus groups or individual interviews.

VII. Information/Discussion Items

The Group decided not to hold a meeting in December.

VIII. Adjournment

Motion to adjourn the meeting was made at 7:24 pm.

Kothbauer (1); Koehler (2) Aye: All via voice vote

Nav: None

Baraboo BID Meeting Minutes

12/15/2021

Present:

Members: S. Fay, A. Adams, K. Thurow, B. McDaniel, M. Yount, B. Stelling, T. Wickus

Absent:

Members: S. Ramsey Brunker, T. Sloan

President Fay called the meeting to order at 6:03 PM

Roll Call

Approval of November 2021 minutes: Wickus/McDaniel, Carried

Adoption of Agenda: Wickus/McDaniel, Carried

Officer/Committee: Report

President: Need to find replacement members for A. Adams, S. Ramsey-Brunker, T. Sloan

Secretary: None Treasurer: None

Appearances: Garlands are looking brown from warm weather. Will investigate other possibilities for

next year. Planter liners sent to Landscape Techniques.

Business Development: Requesting Board review of survey

Finance: None Parking: None

Promotions: Wrapping things up for the year. Parade went well.

Old Business:

New Business:

- Discuss Hill's Wiring Proposal
 - Move to old business, meant to keep on BID's radar
 - o Needs further discussion with County and other City officials
- Approval of financials
 - o Motion to approve financials: Wickus/McDaniel
 - Carried
- Approval of Vouchers
 - o Vinyl Graphics For You LLC
 - **\$398.75**
 - o Baraboo Scout Troop 77
 - **\$1,500.00**
 - o Amy Schertz: Planters
 - \$669.00
 - o Amy Schertz: Sleigh
 - **\$418.09**
 - o Capital Newspapers
 - **\$94.27**
 - o Willie Deppe
 - \$2,060.00
 - Total: \$5,140.11
 - Motion to approve: Wickus/Stelling
 - Carried

Member Comments:

Next Meeting Items:

• Discuss Bus. Dev. Committee survey

Motion to adjourn at 6:24 PM by Wickus/McDaniel, carried.

Board of Review, Council Chambers

August 27, 2021

Present: Wedekind, Kolb, Kent, Nelson, Zeman

Absent: None.

Also Present: Michael Weymier, Tyler Technologies

Mayor Nelson called the meeting to order at 9:00 a.m., noting compliance with the open meeting law.

Moved by Wedekind, seconded by Kolb and carried to approve the agenda.

City Clerk Zeman noted the following:

- 1. Due to the fact that the assessment roll is not completed at this time, the Board of Review will be adjourned until the 15th day of September, 2021 at 9:00am.
- 2. Pursuant to Wis. Stat. §70.45, the assessment roll for the year 2021 assessment was open for examination starting on the 29th day of July.
- 3. Additionally, the assessor was available on the 9th day of August at City Hall from 9:30am until 4:00pm for Open Book.

Moved by Kolb, seconded by Wedekind and carried to adjourn this session of Board of Review.

• Copies of these meeting minutes are on file Park & Rec	021, 11-11-2021, 12-13	-2021 11-2-2021
Library11-9-2021, 11-16-2021	PFC	11-15-2021
UW Campus10-21-2021, 11-18-2021	Airport	11-5-2021
ADJOURNMENT Moved by Kolb, seconded by Petty, and carried on voice	ce vote, that the meetin	g adjourn at 7:59pm.
	ce vote, that the meetin	g adjourn at 7:59pm.

Brenda Zeman, City Clerk

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